

SENATE—Thursday, October 21, 1999

The Senate met at 9:31 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Father Daniel L. Ochs, St. Pius X Church, Reynoldsburg, OH.

PRAYER

The guest Chaplain, Father Daniel L. Ochs, offered the following prayer:

Lord God, we call to mind Your presence and ask that we may be mindful of Your will for us. In Your bountiful goodness, You have made us a great nation subject to You.

May we serve You in humble gratitude and be faithful in our responsibility to work for the fulfillment of Your kingdom on Earth, a kingdom of justice, peace, and love. Stirred up by Your Holy Spirit, may we replace hate with love, mistrust with understanding, and indifference with interdependence. Bless our Senators so that with open minds and hearts they may become peacemakers in our world. May the Earth be filled with Your glory. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MIKE CRAPO, a Senator from the State of Idaho, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Florida is recognized.

FATHER DAN OCHS

Mr. MACK. Mr. President, I extend a warm welcome to Father Dan this morning. He is our guest Chaplain this morning from Reynoldsburg, OH. I had the pleasure of meeting him a few moments ago, but in a sense I have known him for at least a number of years because my brother, Andrew McGillicuddy, is a member of his parish—Andy and Chris—and as a result of their request, Father Dan was able to join us this morning. He is the pastor of a church of 2,400 families, a great responsibility. We are delighted he is with us this morning.

SCHEDULE

Mr. MACK. Mr. President, today the Senate will resume consideration of

the pending Harkin amendment to the partial-birth abortion ban bill. By previous consent, there are 2 hours of debate on the amendment. Therefore, Senators can anticipate a vote at approximately 11:30 a.m., unless the time is yielded back on the amendment. Senators should be aware future roll-call votes are expected in an attempt to complete action on the bill prior to adjournment today.

Following the completion of the partial-birth abortion ban bill, the Senate may begin consideration of any legislative items on the calendar or any conference reports available for action.

I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

PARTIAL-BIRTH ABORTION BAN ACT OF 1999

The PRESIDING OFFICER. The Senate will now resume consideration of S. 1692, which the clerk will report by title.

The legislative clerk read as follows:

A bill (S. 1692) to amend title 18, United States Code, to ban partial-birth abortions.

Pending:

Boxer amendment No. 2320 (to the text of the language proposed to be stricken by amendment No. 2319), to express the Sense of the Congress that, consistent with the rulings of the Supreme Court, a woman's life and health must always be protected in any reproductive health legislation passed by Congress.

Harkin amendment No. 2321 (to amendment No. 2320), to express the Sense of Congress in support of the Supreme Court's decision in *Roe v. Wade*.

The PRESIDING OFFICER. Under the previous order, there will now be 2 hours of debate equally divided prior to the vote on amendment No. 2321.

The Senator from California.

Mrs. BOXER. I thank the Chair.

I also want to say something about the prayer which I found to be quite beautiful. I think talking about making sure we have no hate in our heart is really important. It is so important to all of us as we debate this legislation, to understand that we have great differences but to try to reach for that part of ourselves that brings us all together.

I thank the guest Chaplain as well.

This morning I am very pleased to be here. I know that while Democratic Senators were attending a dinner last

evening, the debate into the late hours was rather one-sided. So I really do appreciate the fact we have a little time this morning to set the record straight.

I am very pleased the Senator from Iowa, who is on his way here, was able to place his amendment before the Senate so we could bring back this debate on a woman's right to choose, the fundamental right women won in this country in 1973 when the Court decided that, in fact, a woman in the earlier stages of her pregnancy has a right to choose freely, with her doctor and her husband and her family, as to how to handle their situation. I think it was a very important, landmark decision.

The decision went on to say that in the later term, which we are talking about a great deal, the State has the right to regulate it. So what *Roe* did was to balance the rights of the woman, if you will, with the child she is carrying. It says in the late term and in the midterm, the States can regulate the procedure, and that is very important, but the woman's life and the woman's health must always be paramount. This is important.

What we have in the underlying bill is just the opposite. The underlying bill makes no exception for a woman's health. Now, the Senator from Pennsylvania says there doesn't need to be that exception. I didn't know he had a medical degree. I would prefer to listen to the obstetricians and gynecologists. He cites 600 doctors. There are 40,000 strong. I prefer to listen to the nurses, to the women who have chosen to go into the health professions. All those letters were put into the RECORD.

And so I believe very strongly that we must always protect the life and health of a woman while we grapple with the obvious religious, moral, and ethical questions as to what type of restrictions ought to be placed on abortion in the later term.

I was very discouraged and saddened by the debate yesterday because I thought what came out on this floor were words that were full of hate. To call a doctor an executioner is wrong; to talk about killing babies is wrong; and I don't think it brings this Nation closer together on this issue. I do not think it sets an atmosphere in which we can try to work together. But this morning I think we are debating something different. We are debating a very fundamental Court decision. The Harkin amendment simply says that Court decision should not be overturned. I look forward to an overwhelming vote, and I hope it will be overwhelming, not to overturn *Roe*. Because I think if we do that, and that amendment is attached to the underlying bill, it will